

## Motion GRANTED.

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

Otto A. Brueg

UNITED STATES OF AMERICA )  
 )  
 v. ) No. 1:12-cr-00010  
 )  
 BENJAMIN RILEY BRADLEY ) JUDGE TRAUGER  
 )

MOTION TO RETURN DEFENDANT TO STATE CUSTODY

Comes now the Defendant, Benjamin Bradley, by and through counsel, and respectfully requests this Honorable Court to issue an order pursuant to the original detention order in this case returning him to the custody of the State of Tennessee at the South Central Correctional Facility pending the sentencing hearing in this case. In support of this motion, the Defendant would note that, at the conclusion of his detention hearing in this case, Magistrate Griffin ordered the Defendant to be returned to State custody at the South Central Correctional Facility (Docket Entry 42). Magistrate Griffin's order in this regard was based on the findings that, 1) the Defendant was serving a sentence at the South Central Correctional Facility and had been brought to federal court by writ of habeas corpus ad prosequendum (Docket Entry 28); and 2) that he was a participant in the Orion program at South Central Correctional Facility (Docket Entry 42); and 3) it was reasonable to allow him to continue in the program (Docket Entry 42).

The Defendant entered a plea in this case on July 20, 2013 and his sentencing hearing has been set for October 17, 2013 at 1:00. The Defendant is currently scheduled to meet with federal probation on July 25, 2013 for his pre-sentence investigation interview. Because the Defendant is still enrolled in the Orion program which is a very beneficial treatment program for him, he is

respectfully requesting the Court to issue an order to transport him back to the South Central Correctional Facility after his interview with probation and to remain there until sentencing on October 17, 2013. Also in accordance with the original order, the United States Marshal shall continue its detainer on the Defendant so that if he were to be released from State custody during the pendency of this case, he shall be returned to federal custody.

Respectfully submitted this the 24th day of June, 2013.

/s James O. Martin, III  
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